

Site & Property Owner Eligibility Determination
for U.S. EPA Brownfield Hazardous Substance and Petroleum Assessment Grant Funds

Ottawa County, Ohio has made an affirmative determination as to the eligibility of the site described herein for the use of its U.S. EPA Brownfield Hazardous Substance and Petroleum Assessment Grant funds. Ottawa County proposes to conduct an environmental assessment of the site to support acquisition. The Property is occupied by a city park and a portion was formerly occupied by a water treatment plant. Prior environmental reports indicate that the portion of the Property occupied by the park has been impacted by historic uncontrolled dumping and filling activities and both portions of the site may have been impacted by migration of petroleum contamination from several nearby UST sites. The basis for the eligibility determination is presented below.

1. Basic Site Information

- (a) Site Name: Waterworks Park Property
- (b) Site Address: 205 and 219 East Perry Street, Port Clinton, Ohio
- (c) Site Legal Description: The Property is approximately 15 acres and is identified as Parcel 0211910626267000.
- (d) Current Ownership of the Site: City of Port Clinton

2. Status and History of Contamination at the Site

- (a) Petroleum or hazardous substances contamination: Prior environmental reports indicate that the Property is impacted by hazardous substances co-mingled with petroleum. Additionally, the Property may be impacted by the migration of petroleum contamination from several nearby UST sites.
- (b) Operational History and Current Uses: The Property is currently occupied by a city park. The west portion of the Property was occupied by a water treatment facility from at least the early 1900s until the facility was removed in 2012. The east portion of the Property has been used as a park since the 1970s. Prior environmental reports indicate that uncontrolled filling and dumping took place on the Property.
- (c) Environmental Concerns: Prior environmental reports indicate that the Property is impacted by hazardous substances co-mingled with petroleum and may be impacted by the migration of petroleum contamination from several nearby UST sites.

3. Site and Property Owner Eligibility

- (a) Affirm that the site is not listed or proposed for listing on the National Priorities List:
The Property is not listed on the National Priorities List.

- (b) Affirm that the site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA: There are no known ongoing or anticipated environmental enforcement actions related to the Property.
- (c) Affirm that the site is not subject to the jurisdiction, custody, or control of the United States government: The Property is not known to be subject to the jurisdiction, custody, or control of the United States government.
- (d) Relationship with the owner: The City of Port Clinton, the current owner of the Property is the county seat. The City of Port Clinton and Ottawa County are separate units of local government. Ottawa County has a desire to see the site redeveloped. Ottawa County proposes to use funds from its U.S. EPA Brownfield Hazardous Substances and Petroleum Assessment Grants to complete environmental assessment activities to evaluate the potential environmental concerns at the site. Results of this assessment are needed to assist in evaluating potential environmental and human health threats and support implementation of additional environmental response activities necessary to facilitate redevelopment.
- (e) Owner's role in the work to be performed: The City of Port Clinton will provide Ottawa County's consultant access to the site and cooperate in disclosing relevant environmental information about the Property.
- (f) Site access: The City of Port Clinton, current owner of the Property, will provide access permitting Ottawa County's consultant right of entry onto to the Property.
- (g) Affirm the grantee is not potentially liable for contamination at the site under CERCLA § 107: Ottawa County is not potentially liable for contamination at the site. Ottawa County has not owned or operated the Property, nor disposed or arranged for disposal of wastes or other hazardous materials on the property. Ottawa County is not, nor has been, affiliated with any person who may be potentially liable for releases, contamination, or disposal of hazardous substances on the property.

4. Petroleum Sites Required Information

- (a) Current and Immediate Past Owners: No prior deeds exist for the Property. The City of Port Clinton was declared the owner of the Property in a judgment entered in the Common Pleas Court of Ottawa County in 1985.
- (b) Acquisition of Site: 1985.
- (c) No Responsible Party for the Site: Based on prior environmental reports, the site is impacted with hazardous substances co-mingled with petroleum contamination. One 500-gallon diesel UST was removed from the west portion of the Property. An NFA status was issued by BUSTR for this UST closure. However, the Property may be

impacted by the migration of petroleum contamination from three nearby UST sites that are/were not located on the Property.

- The Lakeland Motel site (off-site) located approximately 180 feet west of the Property. The BUSTR LUST list indicates that at least two USTs were removed from this site.
- The former Sweitzer's gas station site (off-site) located approximately 100 feet west-southwest of the Property. Historical and interview sources indicate that this site was used as a gas station from the late 1920s until the 1980s.
- The former Union 76 gas station site (off-site) located approximately 150 feet south of the Property, across East Perry Street. Historical and interview sources indicate that this site was used as a gas station from the late 1960s until the 1980s.

- (d) Cleaned Up by a Person Not Potentially Liable: There is no known existing contamination on the Property and as such the owner has not exacerbated existing petroleum contamination on the Property. The Phase II ESA will be conducted to determine if petroleum contamination is present and, if present, help determine its extent. During redevelopment of the Property, reasonable steps will be taken to address contamination at the Property, if any is discovered.
- (e) Relatively Low Risk: The Property is of "relatively low risk" compared to other petroleum contaminated sites in Ohio. An NFA was issued by BUSTR for the 550-gallon diesel UST that was removed from the west portion of the Property.
- (f) Judgments, Orders, or Third Party Suits: There are no known ongoing or anticipated environmental enforcement actions related to the Property.
- (g) Subject to RCRA: The Property is not known to be subject to any order under section 9003(h) of the Solid Waste Disposal Act.
- (h) Financial Viability of Responsible Parties: Unknown. See 4(c).